

directors, which shall hear evidence in the case, and if after careful investigation they find sufficient cause for his removal they shall declare the office vacant at once and proceed to elect his successor: *Provided, however*, that either party may appeal from the decision of the county board of school directors to the state board of education, which shall have full power to investigate and review the decision of the county board of school directors:

Proviso. *Provided*, this section shall not be construed to deprive each county superintendent of the right to try his title to said office in the courts of the courts [state].

Salary of clerk \$1,000.

Proviso. SEC. 12. The state superintendent of public instruction is authorized to employ a clerk at a salary of one thousand dollars per annum, which shall be paid monthly by the state treasurer on the warrant of the auditor out of any funds which may be in the treasury not otherwise appropriated: *Provided*, the said superintendent is not hereby authorized to employ more than one clerk at said salary, one thousand dollars.

County board of school directors, how constituted.

Proviso. SEC. 13. The general assembly shall appoint three men in each county of good business qualifications and known to be in favor of public education, who shall constitute a county board of school directors, which board shall enter upon the duties of its office immediately upon the qualification of a majority of its members: *Provided*, in case of vacancy by death, resignation or otherwise, said vacancy shall be filled by the other members of the county board of school directors: *Provided further*, that the members of the county board of school directors herein provided for shall hold office until the first Monday in July, nineteen hundred and one, at which time the board of county commissioners in each county shall elect the board of school directors, and every two years thereafter.

County board of school directors to prosecute actions for recovery of moneys or property belonging to county schools.

Proviso. SEC. 14. The county board of school directors shall have power and authority and it shall be their duty to institute and prosecute any and all actions, suits or proceedings against any and all officers, persons or corporations and their sureties for the recovery, preservation and application of all moneys or property which may be due to or should be applied to the support and maintenance of the schools, except in case of breach of bond on the part of the treasurer of the county school fund, in which case action shall be brought by the county commissioners as provided in section fifty. The county board of school directors and all other school officials in the several counties shall obey the instructions of the state superintendent and accept his constructions of the school law.

Election of county's superintendent; qualifications.

SEC. 15. The county board of school directors shall on the second Monday in July, eighteen hundred and ninety-nine, and biennially thereafter, elect a county superintendent of schools,